Tucker Ellis LLP



Victoria L. Vance

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Victoria Vance is chair of the Tucker Ellis Health Care Practice Group.

She joined the firm in 2009 after serving as the Senior Counsel and Director of Litigation for The Cleveland Clinic Foundation. Drawing upon her experiences at The Cleveland Clinic and a successful trial practice, Vicky provides health care clients with first-hand knowledge of health care operations, combined with the advocacy and problem-solving skills of a trial lawyer. Her in-house experience gives her an invaluable understanding of what it means to be a client, and the need for outside counsel to be responsive, innovative, and efficient.

Vicky represents health care providers, drug and device manufacturers, insurers, reinsurers, and underwriters on a broad range of claims, risk, litigation, investigatory, and compliance issues. She has counseled health care clients on Medicare and Medicaid billing and operational compliance; evaluated the emerging rules and risks for CBD and medical marijuana programs, pain clinics, and opioid prescribing strategies; responded to HIPAA-HITECH breach events and OCR investigations; performed internal investigations; advised on practice management policies for innovative arrangements and delivery systems, including group visits, concierge medicine, and travel medicine (cross-border care and medical tourism); drafted guidance for risk management best practices; performed case reviews, roundtable valuations of claims, and served as Underwriters' representative; and assists clients in restructuring practice and affiliation relationships.

In her practice, Vicky is deeply familiar with administrative agencies, licensing boards, and regulatory bodies. Her practice includes monitoring, management, and first-chair defense of claims, as well as evaluation of coverage issues. She is a frequent lecturer on medical legal issues for physicians, nurses, Advance Practice Registered Nurses, chiropractors, and other health care providers. As a trained mediator, Vicky is available to assist parties in evaluating and resolving complex civil, commercial, and personal injury disputes.

Education

- Cornell Law School (J.D., cum laude, 1982); Cornell International Law Journal, Managing Editor
- John Carroll University (A.B., summa cum laude, 1979)

State Admissions

- Ohio, 1982

Federal Admissions

- Supreme Court of the United States
- United States Court of Appeals, Second Circuit
- United States Court of Appeals, Sixth Circuit
- United States District Court, Northern District of Ohio
- United States District Court, Southern District of Ohio

Service Areas

- Health Care
- Long Term Care
- Life Sciences Litigation
- Medical Privacy
- Insurance
- Medical Malpractice Litigation
- Business Litigation
- White Collar Criminal Defense & Corporate Investigations
- Health & Life Sciences M&A Transactions
- Health & Life Sciences
- Cannabis
- Privacy, Data Security, and AI

Publications & Events

PRESENTATIONS (REPRESENTATIVE SELECTION)

- "Ohio Law Update," MetroHealth's 19th Annual Pharmacology Law Update Conference, Cleveland, Ohio (October 2026)
- "Facing a Medical Malpractice Allegation: Preparation and Risk Reduction," National Webinar hosted by Coverys (February 2026)
- "AI in Healthcare: Managing Risk While Realizing Benefits," *Your MMG Moment Podcast*, Medic Management Group (September 2025)
- "EMTALA," Webinar presented to West Virginia University Health System (December 2024)
- "Health Care News You Can Use," MetroHealth Law Department (December 2024)
- "Strategies to Improve Patient Safety in the Perioperative Care Areas," Webinar hosted by Med-IQ/Coverys (December 2024)
- "Health Care News You Can Use," Tucker Ellis 2024 In-House Counsel Summit, Cleveland, Ohio (October 2024)
- "Stark Law Review," presented to The Center for Health Affairs at its Consolidated Board Retreat (September 2024)
- "Ethical and Legal Considerations," presented to biomedical engineering students at Case Western Reserve University, Cleveland, Ohio (April 2024)
- "Medicare and Lien Resolution: Recent Case Law and Best Practices," presented to claims consultants of a national healthcare advisory firm and insurance carrier (April 2024)
- "Legal and Regulatory Issues for Advanced Practice Registered Nurses," Case Western Reserve University School of Nursing, Cleveland, Ohio (March 2024)
- "Current Trends in Claims and Risk," Allied World Assurance Company (May 2023)
- Controversies (and Myths) in Airway Management: ASA Difficult Airways Guidelines: What's New?", PostGraduate Assembly in Anesthesiology, New York, New York (December 2022)
- "Telemedicine Standards and Malpractice," Crittenden Medical Insurance Conference, San Diego, California (September 2022)
- "Regulation and Compliance," Post-*Dobbs*: The Legal and Medical Landscape of Reproductive Rights in Ohio, Ohio Reproductive Rights Coalition Symposium, Cleveland Metropolitan Bar Association (July 2022)
- "Health Care Roundtable: Updates on Patient Care and Privacy," Tucker Ellis In-House Counsel Summit Webinar (November 2021)
- "Cannabis in Healthcare: A New Challenging Frontier for Providers," Moderator, Crittenden Medical Insurance Conference (September 2020)
- "Back to the Future: The Risky World of Claims Without the ACA," Moderator, Crittenden Medical Insurance Conference, Miami, Florida (April 2019)
- "Tell It Like It Is: Lessons Learned from Complications of Cardiovascular Interventions," USCAP 108th Annual Meeting, National Harbor, Maryland (March 2019)
- "Lessons Learned from the Recent Zika Outbreak: Understanding Fetal Disease Pathologies and Related Theories of Liability" and "Overcoming the Challenges Associated with Electronic

Medical Records, Patient Portals and Audit Trails in Obstetrics Practice," ACI 17th Annual Advanced Forum on Obstetric Malpractice Claims, Philadelphia, Pennsylvania (June 2018)

- "Opioid Professional Liability and Coverage," Crittenden Medical Insurance Conference, San Diego, California (April 2018)
- "Legal and Regulatory Issues in Cardiology," Toledo, Ohio (January 2018)
- "Managing Life Care Plans," materials co-authored for ACI's 16th Annual Advanced Forum on Obstetric Malpractice Claims, Philadelphia, Pennsylvania (June 2017)
- "The Scourge of the Opioid Epidemic: Risks to Policyholders, Patients & Public," "Hot Topics in Technology: 3D, Telemedicine & Robotics," and "The ACA: Going, Going, Gone? Or Maybe Not!", Guy Carpenter Medical Professional Liability Networking Forum, La Jolla, California (April 2017)
- "Federal and State Health Law Year in Review," Health Care Law Update & Medical/Legal Summit 2017, Cleveland Metropolitan Bar Association/Academy of Medicine Education Foundation/The Academy of Medicine of Cleveland & Northern Ohio, Cleveland, Ohio (March 2017)
- "The Risk and Reward of Robotics," materials prepared and submitted for ACI 2nd Annual Advanced Forum on Medical Liability Claims, Coverage & Risk Management, New York, New York (October 2016)
- "Healthcare Update – Regulations, HIPAA, and Risk Avoidance," 2016 In-House Counsel Summit, Tucker Ellis LLP, Cleveland, Ohio (October 2016)
- "Who's a HIPAA Business Associate? How Do You Know?", National Business Institute's HIPAA Compliance Boot Camp, Cleveland Metropolitan Bar Association, Cleveland, Ohio (September 2016)
- "Obstetric Malpractice Year in Review: Inside the Year's Top Cases and Most Recent Claims – How They Will Dictate the Future, Emerging Trends, New Risks, and What to Expect in the Year Ahead," ACI 15th Annual Advanced Forum on Obstetric Malpractice Claims, Philadelphia, Pennsylvania (June 2016)
- "Surveyors Are Coming and They Want Your Stuff: Peer Review and Other Privileges," Moderator, OSHRM/SOHA Winter Conference, Columbus, Ohio (March 2016)
- "The Distinct Dangers of Anesthesia: How to Avoid the Possibility of Catastrophic Injury, Notable Cases and Decisions, and Looking Towards the Future," ACI Non-Birth Litigation & Risk Management Summit on Medical Malpractice Catastrophic Injury, Philadelphia, Pennsylvania (February 2016)
- "Hot Topics in Health Law," 2015 Health Care Conference, Ohio Society of CPAs, Lewis Center, Ohio (October 2015)
- "Telemedicine and Remote Patient Monitoring," ACI National Advanced Forum on Medical Liability – Claims, Coverage & Risk Management, New York, New York (October 2015)
- "Genetic and Epigenetic Disorders: Emerging Trends and Strategies," ACI 14th Annual Advanced Forum on Obstetric Malpractice Claims," Philadelphia, Pennsylvania (June 2015)
- "New Frontiers in HIPAA & Privacy Enforcement: State Courts, FTC and OIG," Ohio Hospital Association Centennial Annual Meeting, Columbus, Ohio (June 2015)
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"Current Trends in Medical Malpractice Law and Practice," 2015 Medical/Legal Summit, Cleveland Metropolitan Bar Association/Academy of Medicine Foundation/Academy of Medicine of Cleveland & Northern Ohio, Cleveland, Ohio (April 2015)

- "New Claim Trends Related to the U.S. Pain Crisis: Taking a Look at the Recent Prescription Drug Abuse Epidemic and Its Potential Impact on the Tide of Med Mal Insurance Claims," ACI National Advanced Forum on Medical Professional Liability, New York, New York (October 2014)
- "Hot Topics in Hospital Regulation: Where We've Been and Where We're Headed," The Ohio Society of CPAs, 2014 Health Care Conference, Columbus, Ohio (October 2014)
- "Health Care Enforcement from the Defense Perspective," Health Care Compliance Association, Upper North Central Regional Annual Conference, Columbus, Ohio (May 2014)
- "Health Care Fraud: What Every Healthcare and Criminal Attorney Should Know," Cleveland Metropolitan Bar Association (March 2014)
- "When the Government Comes Knocking at Your Door: Framework Overview and One Organization's Experience," OSHRM/SOHA Winter Litigation Conference (March 2014)
- "What Tangled Webs We Lawyers Weave: Legal and Ethical Issues in the Medical Corporate Tree," West Virginia United Health System (January 2014)
- "Medicare Recovery and Reporting," Colorado Defense Lawyers Association, Park Hyatt, Beaver Creek, Colorado (August 2013)
- "HIPAA HITECH Compliance Seminar: What Organizations and Their Business Associates Need to Know," sponsored by Tri-C and Jurlnnov (July 2013)
- "Intro to Health Law: Medicare and Reimbursement Issues," National Business Institute, Cleveland, Ohio (July 2013)
- "Compliance Review Survival Guide: Lessons Learned from OIG's High Risk Claims Audits," Ohio Hospital Association Annual Meeting (June 2013)
- "CMS Reporting and Hold-Backs," OSHRM/SOHA Winter Conference (March 2013)
- "Anatomy of a Complex GL Claim: Professional and Ethical Duties of Insurer-Retained Counsel," Cleveland Metropolitan Bar Association, Insurance Law Section Seminar (November 2012)
- "Policies & Procedures v. Nursing Standards of Care: How to Avoid Setting up Failure," DRI, Nursing Home/ALF Litigation Seminar, Las Vegas, Nevada (September 2012)
- "Health Care Reform Update," Northern Ohio Italian American (NOIA) Foundation, Cleveland, Ohio (September 2012)
- "Legal and Regulatory Issues for Advanced Practice Nurses," regular lecturer, Frances Payne Bolton School of Nursing, Case Western Reserve University (semi-annually, 2012-present)
- "Navigating the Stringent Legal e-Discovery Requirements and Patient Confidentiality Concerns Associated with Electronic Documentation," Advanced Forum on Healthcare Provider Disputes & Litigation, American Conference Institute, Chicago, Illinois (July 2012)
- "Fighting Fraud on Mahogany Row: OIG's Expanded Use of Program Exclusion Authority," Ohio Hospital Association Annual Meeting (June 2012)
- "Medicare's Invasion Into the Courtroom: Difficulties With Settlements in Torts and Workers'

Compensation," The Judicial Conference of the Eighth Judicial District (May 2012)
- "The Risks and Rewards of EMR: Meaningful Use or Tool for Abuse?," 7th Annual National Medical Liability Insurance ExecuSummit, Mohegan Sun, Connecticut (September 2011)
- "The Complications of MMSEA: The Plaintiffs' and Defendants' Perspective," Perrin's, Asbestos Bankruptcy Conference, Chicago, Illinois (June 2011)
- "Legal Issues in Dialysis: From Disclosure to Documentation," presentation at Client's annual meeting (May 2011)
- "Dual Perspectives: Positive Strategies for Handling Clients and Outside Counsel," DRI, Medical Liability and Health Care Law Seminar (March 2011)
- "Through the Looking-Glass…and Back Again," a presentation on Inside-Outside Counsel roles, presented by the Insurance Staff Counsel Committee, 2010 OSBA Convention and Annual Meeting, Dayton, OH (May 2010)
- "eTechnology and Privacy: The New Frontier of Opportunity and Liability," Bermuda Captive Conference, Bermuda (June 2009)
- "After the Critical Event: MedicoLegal Strategies," AACD, American Society of Anesthesiologists, Orlando, Florida (October 2008)
- "Neurosurgical Practice Development: Negotiation and Professional Liability: What the Neurosurgeon Needs to Know," Congress of Neurological Surgeons, 58th Annual Meeting, Orlando, Florida (September 2008)
- "Medico-Legal Issues in Perioperative Medicine: Lessons from Real Cases," 3rd Annual Perioperative Medicine Summit, InterContinental Hotel & Bank of America Conference Center, Cleveland, Ohio (September 2007)
- "Minimizing Medical Liability Risk: What Nurses Need to Know," Cleveland Spine Review The Cleveland Clinic Spine Institute, Cleveland, Ohio (July 2007)
- "Legal Issues of the Electronic Medical Record," Hot Topics in Oncology: A Comprehensive Program for Experienced Nurses and Physicians Assistants, The Cleveland Clinic Taussig Center, Cleveland, Ohio (October 2006)
- For additional speaking engagements, click here.

PUBLICATIONS

- "Legal Considerations for Medical Facilities Facing a Coronavirus Disease 2019 (COVID-19) Outbreak," Tucker Ellis Client Alert (March 2020)
- "Report on the FDA Cannabis Hearing: Passionate Presenters Urge Clarity in Regulation of Complex Industry," *Westlaw Expert Analysis* (July 2019)
- "Report on the FDA Cannabis Hearing: Passionate Presenters Urge Clarity in Regulation of Complex Industry," Tucker Ellis Client Alert (June 2019)
- "'Take a Note': The Role of Scribes in Medical Practices," PSIC *Physician Connection* (2018 Issue 1)
- "Prescription for Change: The Impact of New Pharma Rules on Patients and Prescribers," *Cleveland Metropolitan Bar Journal* (March 2015)
- "Legal Aspects of Medical Emergencies," PSIC *Physician Connection* (2014 Issue 2)
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"Managing the Liability Risks of ICD-10," *Healthcare Liability & Litigation Newsletter*, American Health Lawyers Association (May 2012)

- "Cruising Through Coverage: A Primer for Analyzing Insurance Policies and Issues," *Cleveland Metropolitan Bar Journal* (February 2012)
- "ED Patient May Share Blame for Bad Outcome, But Can You Prove It?", ED Legal Letter (November 2011)
- "*Haro v. Sebelius:* Arizona Court Tells Medicare to Re-tool Its Recovery Requests" (June 2011)
- "The Physician Witness: Issues and Ethical Considerations," *Northern Ohio Physician*, Vol. 94, No. 6 (November/December 2009)
- "Medicare's Section 111 Secondary Payer Program," Monthly Update (April 2010, February 2010, December 2009, October 2009, August 2009, June 2009, May 2009)
- "MMSEA Section 111 Medicare Secondary Payer Mandatory Reporting," Overview (May 2009)

MEDIA

- "Law360's 2021 Health Care Editorial Advisory Board," *Law360* (April 2021)
- "Tips for HIPAA Compliance During a Pandemic," *Healthcare Risk Management* (June 2020)

Honors

- Benchmark Litigation
  - » National Practice Area Star (Product Liability and Recall)
- The Best Lawyers in America® (2016–2027)
- ALM, Women Leaders in the Law (2015)
- *Inside Business Magazine*, Northeast Ohio Leading Lawyer (2001–2010)

In the Community

- American Health Lawyers Association
  - » Registered as a Dispute Resolver with ADR Service
- American Society for Healthcare Risk Management (ASHRM)
- Cleveland Metropolitan Bar Association
  - » Health Care Law Section
    - » Chair (2016-2017)
    - » Health Care Law Council, At Large Member (2014-2015)
  - » Insurance Law Section, Vice Chair (2011-2013)
  - » Cleveland Metropolitan School District Mock Trial Teams, Advisor (2009-2011)
- Health Care Compliance Association (HCCA)
- Law360 Health Care Editorial Board (2021)
- Ohio State Bar Association
- Ohio Supreme Court, Lawyer to Lawyer Mentoring Program (2011-2012)
- Society of Ohio Healthcare Attorneys, Board Member, At-Large Representative (2014-2015)
- The Eighth District Judicial Conference, Life Member